

MAY 14 2007

Attorney Docket No. 200300734-1; Ser. No. 10/767,732

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellants:	)	
David Champion et al.	)	Date: May 14, 2007
	)	
Serial No. 10/767,732	)	Group Art Unit: 2879
Confirmation No. 6089	)	
Filed 01/28/2004	)	Examiner: Walford, Natalie K.
	)	
Title: PHOTONIC-CRYSTAL	)	
FILAMENT AND METHODS	)	

**APPEAL BRIEF REVISION UNDER MPEP § 1205.03 (B)**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This revision of the appeal brief filed March 1, 2007 is respectfully submitted in accordance with 37 CFR § 41.37, MPEP §1205.03(B), and requirements of the Notification of Non-Compliant Appeal Brief dated 04/23/2007. This revised section 5 replaces in its entirety the corresponding section 5 of the appeal brief filed March 1, 2007.

**5. Summary of Claimed Subject Matter (revised section)**

In this revised section, insertions within square brackets [ ] indicate references to specific page and line numbers or paragraph numbers in the original specification, and reference numerals in bold type refer to the original drawings.

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Claim 1 is directed to a method for forming a photonic-crystal filament (10), the method [specification pages 4 – 6, paragraphs 19 – 23, and FIGS 1, 2A, and 2B] comprising steps of:

- a) mixing a slurry (15) comprising particles (11) of substantially uniform size and a precursor material for a desired metal (step S10);
- b) urging the slurry (15) through an orifice (35) while forcing the particles and precursor material into a combination having a desired crystallographic configuration (steps S30 and S40);
- c) drying the combination (45) having a desired crystallographic configuration emerging from the orifice (35) (step S50); and
- d) sintering the precursor material (step S70), whereby a photonic-crystal filament (10) is formed.

Claim 44 is directed to a method of cladding a metal filament, the method [specification pages 12 – 13, paragraphs 38 – 41, and FIGS. 3A – 3B] comprising the steps of:

- a) providing a metal filament (110) (step S20);
- b) mixing a slurry (15) comprising particles (11) of substantially uniform size and a precursor material for a desired metal (step S10);
- c) urging the metal filament (110) and the slurry (15) through an orifice (35) while forcing the particles and precursor material into a combination (45) having a desired crystal configuration surrounding the metal filament (step S40);
- d) drying the combination (45) having the desired crystallographic configuration emerging from the orifice (step S50);
- e) sintering the precursor material (step S70); and
- f) compressing the precursor material within a sheath (100) (step S60), while drawing the filament (110) and sheath (100) through a series of two or more successively smaller dies (115), whereby the filament (110) is clad with a photonic crystal (10).

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Respectfully submitted,



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